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December 27, 2024

Pennsylvania Middle District Court  
228 Walnut St,  
Harrisburg, PA 17101

**In Re: *Feinberg v. Smith, et al.* 1:23cv02165**

Dear Honorable Magistrate Susan E. Schwab:

I am respectfully requesting the Withdrawal of my Motion to Recuse your precedence over this case, and Brief in Support Thereof. I will not continue to pursue your recusal:

I determined that your actions on the case, have not been irrefutably indicative of partiality. While your decisions may be influenced by both parties, I understand that your Order from May 2, 2024, and my actions to remove the exhibits came from my misunderstanding of your verbiage on the Order. That is an error on my part. I believed your intent was the removal of the "exhibits" and not the "limitation" of the exhibits. I informed Mr. Carmelite that I would attach the exhibits in discovery to please the Court's Order. I should have clarified your intent. This was a clear language barrier.

I have been litigating pro se for approximately fourteen months against Defendants. This is my first federal suit. My claims involve civil

rights violations, obstruction of justice, and public corruption. My children were wrongfully removed from my custody for thirteen days because of retaliation from Defendants. The retaliation and removal of my children has caused permanent trauma for my children and myself, which remains through today's date. The trauma has heightened my defense response. People lose trust when the system betrays them, especially when I fostered and adopted with the Defendants for three years. The retaliation is irreparable. I am diligently working on regaining trust.

From the onset of this lawsuit, Defendant Counsel, Donald L. Carmelite, esq. has abused his authority as a licensed attorney. He's degraded, and gaslight me in emails. He has filed hundreds of false statements on record and related cases. Each time he lies I am tasked with raising objections. If I fail to object, I waive my right on appeal.

While my statements are supported by physical evidence, Defendants statements have no support. They are false. Defendants rely on their government positions to dismiss the case with blanketed protection. A corrupt enterprise is difficult to dismantle. However, this Court should realize that my claims have merit because Defendants Dependency Petition was dismissed entirely on November 16, 2023. My children were not adjudicated. Defendants concocted statements to the trial court. They

were unsuccessful. Defendants retaliated because I filed a whistleblower complaint to their superiors.

My family relocated because of their authoritative abuse and retaliation. We lost everything we owned, our reputation, and incurred physical injury. If I remained in Pennsylvania, Defendants would strip me of all civil rights. It's a total abuse of authority. They lack oversight. Defendants are protected by colleagues who cover for them. Penn State covered for Sandusky for many years.

While a Motion for Sanctions is the proper legal route to address Carmelite's habitual abuse, repeated false statements warrant objections/sanctions per incident. Repeated Sanctions are time consuming to prepare and review. This is not fair to me or the Court.

Carmelite, a seasoned attorney has been defending cases for many years, primarily against *pro se* parties who have limited legal knowledge. I did my homework on him. Carmelite knows the "ins" and "outs" and is abusing his authority to Defend his client's crimes through lies, distortions, and legal experience.

There's no criminal recourse for Carmelite, because District Attorney Fran Chardo is Carmelite's client. They disregard complaint filings. No one

should be above the law, but corruption in Pennsylvania is rampant.

Carmelite feels criminally immune, and he has good reason.

This Court, a judiciary branch, must not be influenced by peer pressure, or political power. The branches are separated to maintain accountability. I am relying on this Court's impartiality to weigh the facts of the case. I support my averments with evidence and hope this Court rules in favor of my family's desire to seek justice.

Objecting to hundreds of fraudulent statements made by Defendants is unfair and an abuse of the legal process. An evidentiary hearing is warranted if Defendants are contesting all facts. I have physical evidence to support my statements. Defendants are tainting discovery to overcome this case. They have no evidence, because they are lying.

Carmelite and his coworker are the only ones out of fifteen attorneys engaging in misconduct. Carmelites coworker ceased misconduct immediately upon requested relief from the Commonwealth Court.

Only Carmelite continues to defy this Court's rules, his legal and ethical obligation, and Pennsylvania State and Federal laws. Carmelite is the only attorney ever blocked by email because of misconduct. Other attorney's while litigating fiercely, are not engaged in misconduct. Carmelite is the only attorney warranting injunctive protection. Carmelite obtained my

redacted address unlawfully. He provided a link in his Brief **ECF 123**, stating he received my redacted address from a public source. However, the link is invalid and my redacted address in Florida is not public record.

My redacted address is listed solely on Carmelite's filing signed in August 2024. He listed my redacted address on his "Safe Harbor" draft and Safe Harbor filing. After I notified the Court that he listed my redacted address, he stopped listing it on filings. However, he did not correct his filing that has it documented publicly.

Since September 2024, Carmelite's also requested of this Court to reject my requests when I've provided Court Orders. He's further continued to argue in favor of maintaining my redacted address public, in violation of Florida's Confidentiality Program. He refuses to be corrected or found in error. He has no remorse for the repercussions caused to my family by his actions. There is no purpose, for him to maintain my redacted address on his public filings. Instead, his intent is to harm my family and discredit my statements, all of which have been truthfully filed by me.

I have always provided a working address for this Court to send me documents but will never provide a redacted address that is deemed confidential. Carmelite's Attorney, Alesia S. Sulock, esq. has direct email communication with me, as do the other fifteen attorneys on the related

cases. Those attorneys uphold the laws. Carmelite's misconduct has effectuated tension and impropriety. Blocking his email, per law enforcement recommendation, is the only obvious remedy to prevent further harassment and verbal onslaught.


All the related cases are complex because the State of Pennsylvania is drenched in public corruption. Defendants' crimes and ongoing lies have influenced my perception of Pennsylvania Officials including the Court. I've lost trust in the system, and I am working to rebuild it.

I remind myself every day that this Court is a neutral party. This country has three branches of government to maintain checks and balances. While there are bad apples in each branch, I cannot let Defendants actions influence my perception of the Court's integrity.

I reviewed the Order from May 2, 2024, and determined that I misunderstood the language relating to the exhibits. The error is mine. I apologize for misunderstanding. I'd like to correct the error but will respect whatever this Court deems appropriate.

Dated: December 27, 2024

Respectfully submitted,

  
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